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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION**

CHIQUITA WINFIELD,)
Plaintiff,)
v.) Case No.
JP MORGAN CHASE BANK,)
Defendant.)
State Court Case No. GV23-18459

DEFENDANT'S NOTICE OF REMOVAL

Defendant JPMorgan Chase Bank, N.A. (incorrectly named herein as “JP Morgan Chase Bank”) (“Defendant”) hereby files this Notice of Removal (the “Notice”) of the above-captioned matter to the United States District Court for the Eastern District of Virginia, under 28 U.S.C. §§ 1441 and 1446. Defendant asserts the following grounds supporting removal:

1. The removed case is a civil action filed on November 17, 2023 in the General District Court for the City of Newport News [Case Number GV23-18459] (the “Action”).
2. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders in the Action to date are attached as **Exhibit A**.

3. Removal is proper because the Action is based on a claim that appears to fall under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* See 28 U.S.C. § 1331 and 15 U.S.C. § 1681p.

4. On November 17, 2023, the plaintiff, Chiquita Winfield (the “Plaintiff”), commenced the Action against the Defendant.

5. The initial return date for the parties was held on January 5, 2024. At this hearing, the General District Court ordered pleadings be filed in the Action.

6. On January 17, 2024, the Plaintiff forwarded her Bill of Particulars to counsel for the Defendant, which is included in Exhibit B. The Bill of Particulars alleges various issues with regard to reports by Defendant to the Plaintiff’s credit report. This was the first pleading indicating that the Plaintiff’s claim related to the Fair Credit Reporting Act, and thus was the first time that Defendant was capable of ascertaining that there may be federal question jurisdiction over her claim.

7. Venue is proper because Plaintiff’s Action is pending within a Virginia judicial district within the geographic confines of this district and division. See 28 U.S.C. § 1441(a).

8. This Notice is timely under 28 U.S.C. § 1446(b) because it is being filed within 30 days after Defendant’s receipt of the initial pleading indicating that federal question jurisdiction applies. To date, the only proceedings in the Action have been the filing of the Warrant in Debt, hearing on the initial return date at which the pleadings were ordered, and the filing of the Plaintiff’s Bill of Particulars.

9. In accordance with 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served upon Plaintiff by electronic mail and via first-class mail, postage prepaid. A copy will

promptly be filed with the General District Court for the City of Newport News [Case No. GV23-18459].

WHEREFORE, Defendant hereby exercises its right of removal pursuant to 28 U.S.C. § 1446 *et. seq.* and gives notice that the Action now pending in the General District Court for the City of Newport News, Virginia, captioned *Chiquita Winfield v. JP Morgan Chase Bank* [Case No. GV23-18459], is removed from that court to the United States District Court for the Eastern District of Virginia. Defendant respectfully request that this Court assume full jurisdiction over the cause herein as provided by law.

Respectfully submitted,

/s/ Adolyn C. Wyatt
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*Counsel for Defendant JPMorgan
Chase Bank, N.A.*

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2024, a copy of the foregoing *Notice of Removal* was served via first-class mail, postage prepaid, and electronic mail as follows:

Chiquita Winfield
380 Hilltop Dr. #C
Newport News, VA 23603
c.winfield08@gmail.com

Clerk of Court
General District Court for the City of Newport News
2500 Washington Avenue
Newport News, VA 23607-4307

/s/ Adolyn C. Wyatt
Counsel for Defendant JPMorgan Chase
Bank, N.A.